

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
JOHNSON & JOHNSON and LIFESCAN, INC.,

08 Civ. 1297 (SLT) (SMG)

Plaintiffs,

-against-

STIPULATION AND ORDER

SOUTH POINT WHOLESALE, INC., et al.,

Defendants.
-----X

On consent of Cross-Claimants, MSI Medical Supply, Inc. and Michael Barba and Cross-Claim Defendant CARLOS HERNANDEZ ("Hernandez"),

IT IS HEREBY ORDERED THAT:

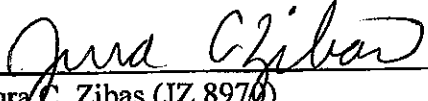
1. MSI Medical Supply, Inc.'s and Michael Barba's cross-claim against Hernandez shall be, and is hereby dismissed with prejudice;
2. MSI Medical Supply, Inc.'s and Michael Barba's cross-claims against other defendants shall continue in the action; and
3. Each party shall bear its own costs and attorney's fees.


IT IS FURTHER STIPULATED, by and between the undersigned parties, that

signatures transmitted electronically or by facsimile shall be deemed original.

Dated: March 2, 2010
Garden City, New York

CONSENTED AND AGREED TO:


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SO ORDERED: _____